

STATE OF WEST VIRGINIA

At a Regular Term of the Supreme Court of Appeals, continued and held at Charleston, Kanawha County, on June 4, 2019, the following order was made and entered:

State of West Virginia ex rel.
Amerisourcebergen Drug Corporation,
Cardinal Health, Inc., and
McKesson Corporation,
Petitioners

vs.) No. 19-0210

Honorable David W. Hummel, Jr., Judge of the
Circuit Court of Marshall County, et al.,
Respondents

ORDER

On March 19, 2019, defendants below, Kroger Limited Partnership I, by counsel Ronda L. Harvey, Fazal A. Shere, and Unaiza Riaz, Bowles Rice LLP; Rite Aid of Maryland, Inc., by counsel Webster J. Arceneaux III, Lewis Glasser PLLC; CVS Indiana, LLC, by counsel Carte P. Goodwin, Joseph M. Ward, and Alex J. Zurbuch, Frost Brown Todd LLC; and Wal-Mart Stores East, LP, by counsel Neva G. Lusk, Spilman Thomas & Battle, PLLC, filed a motion requesting leave to join in the petition for writ of prohibition in this matter, for the reasons set forth therein. Thereafter, on May 13, 2019, Brook County Commission, et al., by counsel Clayton J. Fitzsimmons, Robert P. Fitzsimmons, and Mark A. Colantonio, Fitzsimmons Law Firm, PLLC; Samuel D. Madia, Shaffer Madia Law, PLLC; Paul J. Napoli and Joseph L. Ciaccio, Napoli Shkolnik, LLP; Jonathan E. Turak, Gold, Khourey & Turak; and Daniel J. Guida, Guida Law Office, filed a response in opposition to the motion.

Upon consideration and review, the Court is of the opinion to and does hereby refuse the motion to join. Justice Workman disqualified.

A True Copy

Attest: /s/ Edythe Nash Gaiser
Clerk of Court



Exhibit I

JUN 12 2019